REMARKS

Status of Claims

    The Office Action mailed January 23, 2005 has been reviewed and the comments of the Patent and Trademark Office have been considered. Claims 1-24 were pending in the application. Since no claims have been added or cancelled, claims 1-24 are pending in the application and are submitted for reconsideration.

    A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, are presented, with an appropriate defined status identifier.

Prior Art Rejections

    In the Office Action, claims 1-12, 15-18, 20, 21, 23, and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Mehra et al. article "Designing a flexible services-based architecture for Internet Applications" (hereafter "Mehra") in view of U.S. patent 6,732,175 to Abjanic (hereafter "Abjanic"). Claims 13, 14, 19, and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mehra and Abjanic in view of U.S. patent 6,434,555 to Frolund et al. (hereafter "Frolund"). Applicants respectfully traverse these rejections for at least the following reasons.

    Each of the independent claims 1, 19, 20, and 24 recite, *inter alia*, that (1) <u>each node *exposes* its business logic capabilities to the engine</u>; and (2) <u>engine uses the *exposed node business logic capabilities to automatically build a process map*</u> that links received messages with specific ones among a plurality of nodes, wherein the engine uses the process map to select the relevant node from the plurality of nodes. Furthermore, the engine does not contain any business logic and the message does not contain an operation identifier of the transaction to be performed that can be used to select a relevant node among the plurality of nodes for interfacing.

    The office action acknowledges that Mehra does not disclose these claimed features. To disclose these features, the office action relies on Abjanic. However, the cited portions of Abjanic in the office action only discloses that a content director 145 that switches between one of several servers based on <u>configuration patterns or queries found in the application data</u>

of the incoming message. That is, the content director 145 looks for configuration patterns or queries in the incoming message data in order to switch between servers. See col. 7, line 2-42 of Abjanic.

Col. 6, lines 50-63 of Abjanic discloses that the configuration patterns may be dynamically changed by a user or a program for load balancing or other similar purpose. However, nowhere does Abjanic teach that the engine uses the *exposed node business logic* to *automatically* build (and update) a process map (which links received messages to specific nodes) as recited in the pending independent claims. Therefore, at least this recited feature is not disclosed by either Mehra or Abjanic or their reasonable combination.

Since this deficiency in Mehra and Abjanic is not cured by any of the other applied references, the office action fails to make a prima facie case of obviousness with respect to the pending claims.

It should be noted that, at best, the applied prior art is completely silent on the claimed feature of the process maps being automatically created based on the exposed business logic capabilities of the nodes. The PTO's review court has made it very clear that silence in a reference is hardly a substitute for clear and concrete evidence from which a conclusion of obviousness might justifiably flow. See, e.g., *Application of Burt*, 356 F.2d 115, 121 (CCPA 1966)

Furthermore, these recited features provide the benefit that the external application does not need to know details of the various nodes (in particular, their business logic capabilities) and their capabilities. Furthermore, the claimed engine dynamically creates and maintains the process map according to the exposed node business logic capabilities such that the process map automatically accounts for all nodes (with their specific exposed business logic capabilities) as they are created. Therefore, neither the specific recited features nor its advantages are disclosed or suggested by the applied prior art. Accordingly, the pending independent claims are patentable over the applied prior art.

The dependent claims are also in condition for allowance for at least the same reasons, as discussed above, as the independent claims on which they ultimately depend. In addition, they recite additional patentable features when considered as a whole.

Comments on Response to Arguments in the Office Action

In this section the examiner notes that "the combination of Mehra and Abjanic also teaches automatically building a process map because Abjanic teaches the configuration patterns may be dynamically changed or updated by a program or application [col. 6, lines 50-63]." However, nowhere does the office action point out where Abjanic discloses that the process map (which the examiner interprets as the table of configuration patterns) is automatically created (and updated) *based on the exposed business logic of the nodes*. Rather, the cited portion teaches that the configuration pattern table is updated for load balancing purposes or because certain servers have failed. While this updating is useful, it is different from the feature recited in the pending independent claims and nor does it provide the advantages thereto. Accordingly, applicants submit that the pending independent claims are patentable over the applied prior art even as interpreted by the examiner. In this context, it should be emphasized that silence in a reference does not substitute for clear and concrete evidence from which a conclusion of obviousness might justifiably flow.

Conclusion

In view of the foregoing amendments and remarks, applicants respectfully request entry and consideration of the instant amendment and reply because it is believed to place the application in condition for allowance. If there are any questions regarding the application, or if an examiner's amendment would facilitate the allowance of one or more of the claims, the examiner is invited to contact the undersigned attorney at the local telephone number below.

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicants hereby petition for any needed extension of time.

Respectfully submitted,

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